

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NIKKO MATERIALS USA, INC. d/b/a
GOULD ELECTRONICS, INC., an
Arizona Corporation,

Plaintiffs,

v.

R.E. SERVICE CO., INC., a California
corporation,

Defendant.

No. C 03-2549 SBA

ORDER

[Docket No. 504]

On May 27, 2005, Defendant R.E. Service Co., Inc. filed a Motion for Judgment as a Matter of Law, or alternatively, for New Trial ("Defendant's Motion for Judgment as a Matter of Law") [Docket No. 504]. Defendants' Motion for Judgment as a Matter of Law is set for a July 12, 2005 hearing.

However, also currently pending before the Court are: Plaintiff's Motion for Award of Damages [Docket No. 435], Plaintiff's Motion for a Permanent Injunction [Docket No. 440], Defendant's Motion for Application of Laches [Docket No. 446], Plaintiff's Motion for an Exceptional Case and Attorney's Fees [Docket No. 457], and Plaintiff's Motion for Enhanced Damages [Docket No. 458] (collectively, the "Post-Trial Motions").

Since the Post-Trial Motions are currently under submission with the Court, the Court finds that, in the interest of judicial economy, Defendant's Motion for Judgment as a Matter of Law should also be taken under submission.

Accordingly,

1 IT IS HEREBY ORDERED THAT the July 12, 2005 hearing on Defendant's Motion for Judgment
2 as a Matter of Law, or alternatively, for New Trial [Docket No. 504] is VACATED. Should the Court find
3 a hearing on the motion necessary, it will notify the parties accordingly.

4 IT IS SO ORDERED.

5 Dated: July 1, 2005

6 /s/
SAUNDRA BROWN ARMSTRONG
United States District Judge